



1Fw

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 16, 2004 Date Mailed	Yuko Tanaka Name	<i>Y. Tanaka</i> Signature	December 16, 2004 Date
----------------------------------	---------------------	-------------------------------	---------------------------

42P14248X

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	
	)	
NICOLAESCU ET AL.	)	Examiner: Suchecki, Krystyna
	)	
Serial No.: 10/603,379	)	Art Unit: 2882
	)	
Filing Date: June 24, 2003	)	
	)	
For: POLARIZATION INSENSITIVE	)	
METHOD AND APPARATUS	)	
FOR SWITCHING AND	)	
MODULATING AN OPTICAL	)	
BEAM	)	

**RESPONSE TO ELECTION REQUIREMENT**

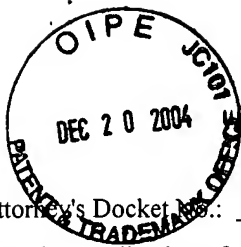
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

Responsive to the Office Action mailed November 30, 2004, the Applicants request the Examiner to enter the following amendments and to consider the following remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper

**Remarks/Arguments** begin on page 10 of this paper.



Attorney's Docket No.: 42P14248X

Patent

In re the Application of: Nicolaescu et al.  
(inventor(s))

Application No.: 10/603,379

Filed: June 24, 2003

For: POLARIZATION INSENSITIVE METHOD AND APPARATUS FOR SWITCHING AND MODULATING  
AN OPTICAL BEAM

(title)

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR: Transmitted herewith is a Response to Election Requirement for the above-referenced application.

       Applicant claims small entity status. See 37 CFR 1.27.

  X   No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 24	Minus	** 30	0	X25	\$	X50	\$ 0
Indep. Claims	* 4	Minus	*** 5	0	X100	\$	X200	\$ 0
<div></div>	First Presentation of Multiple Dependent Claim(s)				+180	\$	+360	\$
* If the entry in Col. 1 is less than the entry In Col. 2, write "0" in Col. 3.					Total Add. Fee	\$	Total Add. Fee	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on December 16, 2004  
Date of Deposit

Yuko Tanaka  
Name of Person Mailing Correspondence

Y. Tanaka  
Signature

December 16, 2004  
Date

\_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is attached for presentation of additional claim(s).  
\_\_\_\_\_ Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to  
37 C.F.R. § 1.136(a).

\_\_\_\_\_ A check for \$ \_\_\_\_\_ is attached for processing fees under 37 C.F.R. § 1.17.

\_\_\_\_\_ Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.

\_\_\_\_\_ A duplicate copy of this sheet is enclosed.

X \_\_\_\_\_ The Under Secretary of Commerce for Intellectual Property and Director of the United States  
Patent and Trademark Office is hereby authorized to charge payment of the following fees associated  
with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy  
of this sheet is enclosed):

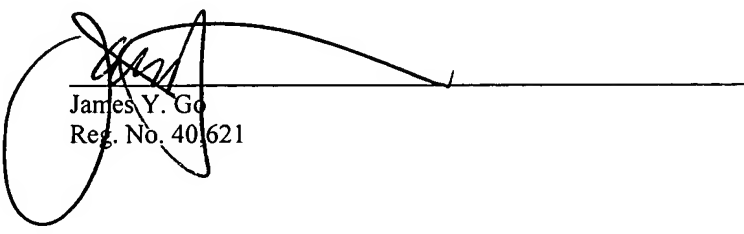
X \_\_\_\_\_ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.

X \_\_\_\_\_ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 12-16-04

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(206) 292-8600

  
James Y. Go  
Reg. No. 40,621